

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroshi Nagai, et al.
Serial No.: 10/528,224
Filed : August 15, 2005
For : Functional Foods/Drinks Containing Antiallergic Component
Examiner: Suez Ellis
Art Unit: 1615

Amendment

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment responds to the Office Action dated October 20, 2008, for which a shortened statutory period of three months for response, ending January 21, 2009, was set in which to respond, in view of the Patent Office Holiday on January 20, 2009, and for which a one month extension of time ending February 20, 2009 is respectfully requested. The following amendments and comments are submitted and reconsideration of the claim rejections is respectfully submitted.

The Applicants submit that in view of the electronic filing of this response, that this response is timely.

The fee of one hundred and thirty dollars (\$130.00) for the extension of time within the first month is being paid concurrently with filing by credit card. No Additional fee is believed due with this response. However, please charge any additional fee or credit any payment to Deposit Account 50-2828.

Listing/Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.